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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2630**
Kanji HATA et al. : Docket No. 2002_0244
Serial No. 10/079,494 : Group Art Unit 3729
Filed February 22, 2002 : Examiner Donghai Nguyen

COMPONENT MOUNTING APPARATUS
AND METHOD

TRAVERSAL OF RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

In the Office Action mailed February 18, 2005, the Examiner required restriction between Group I corresponding to claims 1-12, 25-32, 47-50 and 55-58, drawn to a component mounting apparatus, and between Group II corresponding to claims 33-46, 51-54, 59 and 60, drawn to a component mounting method.

This Restriction Requirement is respectfully traversed for the following reasons.

The basis for the restriction requirement between the method claims and the apparatus claims is stated as

the method as claimed can be practiced by another
and materially different apparatus having only a first
mounting head section.

However, each of independent method claims 33 and 36 requires "providing ... a first mounting head section ... and a second mounting head section". This "providing" step is a positive method limitation. Accordingly, because these claims require provision of two mounting head sections, the method as claimed cannot be practiced by an apparatus including only one mounting head section, even though claims 33 and 36 recite that only one of the mounting heads is used.

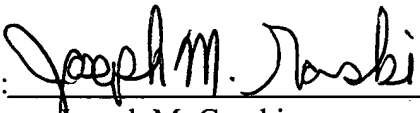
Additionally, assuming arguendo that the restriction requirement between method claims 33 and 36 and the apparatus claims is proper, dependent method claims 35 and 38, which depend from claims 33 and 36, respectively, require use of the second mounting head section, whereby the restriction requirement between claims 35 and 38 and the apparatus claims is not proper. And, since claims 35 and 38 cannot be restricted from claims 33 and 36, respectively, claims 33-38 are not restrictable from the apparatus claims.

Also, since independent method claims 39 and 43 are not restrictable from method claims 33-38, all of the currently pending claims should be examined together.

In view of the above, it is respectfully submitted that the restriction requirement between Groups I and II as set forth in the Office Action mailed February 18, 2005, is not proper and should be withdrawn.

Respectfully submitted,

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